
HOUSE BILL No. 1494

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-33-87.

Synopsis: Nonpartisan election of Warrick County judges. Requires the Warrick circuit court judge and the two Warrick superior court judges to be elected at nonpartisan elections. Makes conforming amendments.

Effective: July 1, 2007.

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January 26, 2007, read first time and referred to Committee on Judiciary.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1494

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-33-87-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. There shall be one
3 (1) judge of the Warrick superior court No. 1 and one (1) judge of the
4 Warrick superior court No. 2 who shall hold office for six (6) years:

5 (1) beginning on the first day of January after a judge's election **as**
6 **provided in section 23 of this chapter;** and

7 **(2) continuing** until the judge's successor is elected and qualified.

8 SECTION 2. IC 33-33-87-23 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2007]: **Sec. 23. (a) The judge of the Warrick**
11 **circuit court and each of the two (2) Warrick superior court judges**
12 **shall be elected in nonpartisan elections every six (6) years.**

13 **(b) During the period under IC 3-8-2-4 in which a declaration**
14 **of candidacy may be filed for a primary election, a person who**
15 **desires to become a candidate for one (1) of the three (3) judgeships**
16 **described in subsection (a) must file with the election division a**
17 **declaration of candidacy:**



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- (1) adapted from the form prescribed under IC 3-8-2;
- (2) signed by the candidate; and
- (3) that designates which judgeship the candidate seeks. A declaration that does not include the designation shall be rejected by the election division or by the Indiana election commission under IC 3-8-1-2.

(c) To be eligible for election under this section, a candidate for a judgeship must be:

- (1) a resident of Warrick County; and
- (2) admitted to the practice of law in Indiana.

(d) If a person:

- (1) files a declaration of candidacy under subsection (b); and
- (2) subsequently ceases to be a candidate after the final date for filing a declaration under subsection (b);

the election division may accept the filing of additional declarations of candidacy for that judgeship until not later than noon August 1.

(e) All candidates for each respective judgeship shall be listed on the general election ballot:

- (1) in the form prescribed by IC 3-11; and
- (2) without party designation.

The candidate who receives the highest number of votes for each judgeship shall be elected to that office.

(f) IC 3, where not inconsistent with this chapter, applies to elections under this chapter.

SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2007]: IC 33-33-87-12; IC 33-33-87-13.

SECTION 4. [EFFECTIVE JULY 1, 2007] (a) Notwithstanding the amendment and repeal of provisions in IC 33-33-87 by this act, the term of a judge in office in the Warrick circuit court or a Warrick superior court on June 30, 2007, does not terminate until the date that the term would have terminated under the law in effect on June 30, 2007. The initial election under IC 33-33-87, as amended by this act, to fill a judge's position on the Warrick circuit court or a Warrick superior court is the general election immediately preceding the date on which the term of the judge occupying the position on June 30, 2007, would have terminated under the law in effect on June 30, 2007.

(b) This SECTION expires January 2, 2013.

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